

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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Akram Farghaly, et al.,

Plaintiffs,

**MEMORANDUM & ORDER**

16-CV-06660 (EK) (JAM)

-against-

City of New York, et al.,

Defendants.

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ERIC KOMITEE, United States District Judge:

On May 18, 2024, the parties dismissed this case with prejudice. See Joint Stip., ECF No. 111. The dismissal came two days before trial was scheduled to commence and seven-and-a-half years after the action began. Defendants have moved for sanctions, alleging that plaintiffs withheld responsive medical records during discovery and misrepresented material information in their Section 50-h hearings, depositions, and affidavits. See Mot. for Sanctions, ECF No. 118.

Notwithstanding the serious omissions described in defendants' Motion, the Court declines to order sanctions. Plaintiffs' counsel, Mr. Rehan Nazrali, represents that he relied on representations made by his client, up until the point where he felt that "the appropriate decision, in accordance with [his] ethical and professional obligations, was to voluntarily withdraw the instant actions." Opp'n to Sanctions at 3, ECF No.

117. The Court will, under the instant circumstances, exercise its discretion to decline to issue sanctions without holding a further hearing, for reasons including that Mr. Nazrali litigated this case for over seven years, on contingency.

SO ORDERED.

/s/ Eric Komitee  
ERIC KOMITEE  
United States District Judge

Dated: September 3, 2024  
Brooklyn, New York